IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3 OF 2006

Shri Ashok Sakharam Korde ... Petitioner

V/s

Maharashtra State Road Transport Corporation & anr. ... Respondents

Mr. Y.M. Pendse for the petitioner.

Mr. D.N. Nalawade for the respondent Nos. 1 & 2.

CORAM: P.V. KAKADE, J.

DATED: 16TH FEBRUARY, 2006

P.C.:

1. Heard both sides.

2. The advocate for the petitioner submits that consequent upon the direction of this Court, he prepared an application addressed to the authorities of the respondents on the basis of circular issued by the respondents regarding punishment to the conductors, however, when he presented the application, the concerned authorities refused to accept the same. The

learned counsel for the respondents submits that it was not accepted because he was not found eligible. I fail to understand how the application was found to be not eligible without accepting and considering the same under the said circular.

In any case, it is now directed that the respondents shall accept the application of the petitioner within one week from the date of this order and consider it in view of the relevant circular issued by them on the subject of punishment to the conductors and consider the same within four weeks thereafter and communicate the decision to the petitioner immediately.

3. The learned counsel for the petitioner submits that the petitioner is in service at present and, therefore, his service should be protected pending consideration of the application. Therefore, petitioner’s employment shall be protected till the time decision is taken by the respondents’ concerned authorities on petitioner’s application and if the decision is adverse, then the protection shall continue for two weeks thereafter.

With these directions, the petition stands disposed with no order as to costs.

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